

The Honorable Barbara J. Rothstein

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

PAWANDEEP DHUNNA,	)	No.: 2:21-cv-00720-BJR
	)	
Plaintiff,	)	ORDER GRANTING STIPULATED
	)	MOTION AND TO CONTINUE
vs.	)	DEADLINES
	)	
DEPARTMENT OF HOMELAND	)	
SECURITY, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**STIPULATION**

Plaintiff Pawandeep Dhunna and Defendants the Department of Homeland Security, *et al.*, through their respective counsel, pursuant to Federal Rule of Civil Procedure 6 and Local Rules 10(g) and 16, and hereby jointly stipulate and move for a 90-day extension of (1) the deadline for Defendants to respond to the Complaint, and (2) the deadlines in the Court's order (Dkt. #5) that sets dates for the exchange of Initial Disclosures and filing a Combined Joint Status Report and Discovery Plan.

A court may modify a deadline for good cause. Fed. R. Civ. P. 6(b). Continuing pretrial and trial dates is within the discretion of the trial judge. *See King v. State of California*, 784 F.2d 910, 912 (9th Cir. 1986).

The parties submit there is good cause for an extension of the deadlines. Statutory

1 authorization related to the EB-5 regional center program (the program under which the plaintiff  
 2 filed an I-526 petition) expired at the end of the day on June 30, 2021. Due to this lapse in  
 3 authorization, in general, U.S. Citizenship and Immigration Services (“USCIS”) will not act on  
 4 any pending Form I-526 petition that is dependent on the lapsed statutory authority until further  
 5 notice. See [https://www.uscis.gov/working-in-the-united-states/permanent-workers/eb-5-](https://www.uscis.gov/working-in-the-united-states/permanent-workers/eb-5-immigrant-investor-program)  
 6 [immigrant-investor-program](https://www.uscis.gov/working-in-the-united-states/permanent-workers/eb-5-immigrant-investor-program) (second alert). In addition, “[a]lthough USCIS is unable to review  
 7 [the plaintiff’s Request for Evidence] response at this time, [USCIS] will . . . maintain the response  
 8 for review if circumstances change.” A 90-day extension will give the parties time to monitor  
 9 whether Congress will renew the statutory authorization related to the regional center program and  
 10 to assess the impact of such reauthorization (or lack thereof) on this litigation. Continuing the  
 11 existing deadlines for a responsive pleading, initial disclosures, and a joint status report will allow  
 12 the parties to conserve resources because they will not have to expend resources completing work  
 13 on the case that may become moot (or the issues may change) depending on whether Congress  
 14 renews the statutory authorization related to the program.

15 Therefore, the parties agree to and propose new deadlines as follows:

Action	Deadline
Defendants’ responsive pleading	November 7, 2021
Rule 26(f) Conference	October 27, 2021
Exchange initial disclosures	November 3, 2021
File Joint Status Report	November 10, 2021

**ORDER**

**IT IS SO ORDERED.**

Dated this 4th day of August, 2021.

A handwritten signature in black ink, reading "Barbara J. Rothstein". The signature is written in a cursive, flowing style.

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The Honorable Barbara J. Rothstein  
United States District Court Judge